

AUG-11-2005 14:40

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Kevin G. Collins et al

Confirmation No.: 2538

Application No.: 09/858080

Examiner: Baturay, Alicia

Filing Date: May 15, 2001

Group Art Unit: 2155

Title: Method And Apparatus To Manage Transactions At A Network Storage Device

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Director of the US Patent and Trademark Office

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Alexandria, VA 22313-1450

REQUEST FOR REFUND
IMPROPER CHARGE OF DEPOSIT ACCOUNT

Sir:

I. **REFUND REQUEST**

This is a request for a refund in the amount of \$1,570, with respect to the charge to Deposit Account No. 08-2025, shown on the statement dated 06/30/2005, for the above identified patent application.

(X) A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

II. **FEES CHARGED FOR WHICH REFUND IS REQUESTED**

1801 for \$790; 1252 for \$450 and 1252 for \$450 = \$1,570.00

III. **EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

The final rejection was mailed June 10, 2005. Applicant filed a response on March 21, 2005-within the 2 mo. time period. The advisory action mailed June 10, 2005 states the due date is three months from the filing date of the final rejection or May 1, 2005. That is incorrect. The due date should be the mailing date of the advisory action -- June 10, 2005. Applicant filed a Request for Continued Examination on June 22, 2005, and should only pay \$120 for a one month extension of time. Applicant was charged twice for the \$790 RCE fee and twice for the \$450 two month extension of time fee.

IV. **MANNER OF REFUND**

Please make refund of \$1,570 crediting Account No. 08-2025.

- () I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450
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OR

- (X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number on (571) 273-8300 Aug. 11, 2005

Number of pages: 6

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Kevin G. Collins et al

By T. Grant Ritz

T. Grant Ritz

Attorney/Agent for Applicant(s)

Reg. No.: 39,819

Date: Aug. 11, 2005

Telephone No.: (000) 000-0000

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Patent Application
 Attorney Referral No. 10001724

IN THE
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Applicant(s) Kevin Collins Classification No. 353 B
 Application No. 08/076,886 Examiner: DATUNAY, A. W.
 Filing Date, 3/1/2000 Drawn Am. U.S.A. 2/15
 Title. Method and Apparatus to Manage Transactions on a Remote Storage Device

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26. Transmitted through the following in the above-identified application:
 (X) Response/Amendment () Petition to enter time to respond
 () New fee as calculated below () Substantial Communication
 () No fee/extension fee
 () Other () Fee \$

(1) FEE	(2) CLASSIFICATION AFTER EXAMINATION	(3) NUMBER OF PAGES	(4) NUMBER OF PAGES PREVIOUSLY FILED FOR	(5) NUMBER OF PAGES FILED	(6) FEE	(7) ADDITIONAL FEE
TOTAL CLASS		484			\$ 640	\$ 0
USDP CLASS		484			\$ 3700	\$ 0
1. CLASSIFICATION OF A VOLUME DEPENDENT CLASS						
USDP CLASS	1st Month \$ 12.00	2nd Month \$ 12.00	3rd Month \$ 12.00	4th Month \$ 12.00	5th Month \$ 12.00	\$ 0
TOTAL FEE						
TOTAL AMOUNT DUE FOR THIS APPLICATION \$ 4340						

Change 3. In Deposit Account 08-2023. At any time during the pendency of this application, deposit of a fee is required or check any overpayment to Deposit Account 08-2023 pursuant to 37 CFR 1.23. Accordingly, please check any fee to Deposit Account 08-2023 within 37 CFR 1.23, 1.24, 1.25 or 1.26. A duplicate copy of this sheet is enclosed.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States Patent and Trademark Office, at Washington, D.C., on 3/21/2005.

By: Kevin Collins
 Kevin Collins
 Attorney/Agent for Applicant
 Reg. No. 42,881
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